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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,445	07/22/2003	Alan Cox	113715.134	6446
23483	7590	03/14/2005	EXAMINER	
WILMER CUTLER PICKERING HALE AND DORR LLP 60 STATE STREET BOSTON, MA 02109			PATEL, ASHOKKUMAR B	
		ART UNIT	PAPER NUMBER	
		2154		

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/624,445	COX, ALAN	
Examiner	Art Unit	Ashok B. Patel	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 22 July 2003.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-13 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-13 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

1. Application Number 10/624, 445 was filed on 07/22/2003. Claims 1-13 are subject to examination.

Claim Rejections - 35 USC 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dieterman (US 6,393, 464 B1) in view of Lu (US 2002/0107950 A1)

Referring to claim 1,

The reference teaches Dieterman a method for operating an electronic messaging system (Fig.5) comprising:

routing an electronic message intended for a first user to a first folder not associated with the first user, instead of to the first user; presenting the electronic message to a first approver to approve or reject the message; (col.5, line34-39, "If the identity of the sender of an email is determined to not appear on the allowed list, step 53, the incoming message is designated as a message which requires approval, step 57, and is placed in the inbox for messages requiring approval, step 58.");

if delivery of the electronic message to the first user is approved, routing the electronic message to the first user. (col.5, line 42-44," If approval is granted, step 60, the email message is placed in the normal inbox, step 55. " and col. 2, lines 26-32, "categorizing as authorized each outgoing and incoming message that is sent to and received from an entity whose electronic identification is included on the allowed list; categorizing as unauthorized each outgoing and incoming message that is sent to and received from an entity whose electronic identification is not included in the allowed list" and col. 5, line 62-58); and

if delivery of the electronic message to the first user is rejected, routing the electronic message to a third folder not associated with the first user and not to the first user. (col.5, line 44-45,"If approval is not given, step 60, the message will be deleted after a predetermined amount of time, step 61.")

The reference Dieterman fails to explicitly teach routing the electronic message to a second folder not associated with the first user.

The reference Lu teaches "Furthermore, an electronic message may be directed to one or more supervisory recipients 160." Page 2, para. [0021], and " Alternatively, the intended recipient and the supervisory recipient may have unrelated accounts.", page 1, para. [0006], and "MS server 140 may be connected by communication link 120 to intended and supervisory recipients 150, 160. Intended and supervisory recipients 150, 160 generally are capable of communicating electronic messages and information with the MS server 140 and each other.", page 2, para. [0016]. The teachings of these applied concepts are of a paramount importance from the perspective of one having

ordinary skill in the art. Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to apply Lu's teachings and modify the teachings of the reference Dieterman by adding additional folder not associated with the first user (that is recipient) such that the message can be accessed by "more than one supervisory recipients" for separate approvals or rejections and wherein "the intended recipient and the supervisory recipients can have unrelated accounts", and "intended and supervisory recipients are communicating electronic messages and information with each other". This would have been obvious because "In some instances parents (more than one, that is both) may want to supervise their children's Internet access to prevent improper use, such as receipt of inappropriate content or communications. This supervision may involve "eyes-on" supervision by parents (more than one, that is both approving or rejecting the electronic messages) to prevent communication by or with undesirable elements as taught by Lu.

Referring to claims 2 and 3,

The reference teaches the method of claim 1, further comprising applying a filter to the electronic message, such that the electronic message is approved if the electronic message passes the filter, and further comprising applying a filter to the electronic message, such that the electronic message is rejected if the electronic message passes the filter. (col. 5, lines 30-39)

Referring to claims 4, 5 and 6,

Keeping in mind the teachings of the reference Dieterman as stated above, in addition, the reference Dieterman teaches in col.6, lines 17-50, "For example, a parent at work

can use any computer with internet access to add, delete, or change the list people with whom their child can communicate.”. The reference also teaches synchronizing the information to maintain the consistency in presenting the information. (col. 6, line29-36).

The reference fails to explicitly fails to teach presenting the electronic message to a second approver to approve or reject the message, and further comprising displaying to the first approver and to the second approver representations of electronic messages that have been presented for approval, and synchronizing the display to the first approver and the display to the second approver of representations of electronic messages that have been presented for approval.

The reference Lu teaches “Furthermore, an electronic message may be directed to one or more supervisory recipients 160.” Page 2, para. [0021] (presenting the electronic message to a second approver to approve or reject the message), and ” Alternatively, the intended recipient and the supervisory recipient may have unrelated accounts.”, page 1, para. [0006], and “MS server 140 may be connected by communication link 120 to intended and supervisory recipients 150, 160. Intended and supervisory recipients 150, 160 generally are capable of communicating electronic messages and information with the MS server 140 and each other.”, page 2, para. [0016]. (displaying to the first approver and to the second approver representations of electronic messages that have been presented for approval, and synchronizing the display to the first approver and the display to the second approver of representations of electronic messages that have been presented for approval.) The teachings of these applied concepts are of a paramount importance from the perspective of one having

ordinary skill in the art. Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to apply Lu's teachings and modify the teachings of the reference Dieterman such that the message can be accessed by "more than one supervisory recipients" for separate approvals and wherein "the intended recipient and the supervisory recipients can have unrelated accounts", and "intended and supervisory recipients are communicating electronic messages and information with each other". This would have been obvious because "In some instances parents (more than one, that is both) may want to supervise their children's Internet access to prevent improper use, such as receipt of inappropriate content or communications. This supervision may involve "eyes-on" supervision by parents (more than one, that is both approving or rejecting the electronic messages) to prevent communication by or with undesirable elements as taught by Lu.

Referring to claim 7,

The reference teaches a method of operating an electronic messaging system (Fig. 4) comprising:

directing an outgoing electronic message having an intended recipient sent by a first user to a first folder not associated with the first user, instead of to the intended recipient; presenting the electronic message to a first approver to approve or reject the message (col. 4, lines 36-41,"If, however, when performing the comparison between each named recipient and the contents of the allowed list it is determined that not all recipients are in fact on the allowed list, step 33, then the email message is placed in an

alternate outbox designated for messages that require administrator approval before being sent, step 38.");

if delivery of the electronic message to the intended recipient is approved, routing the electronic message to the intended recipient (col. 4, line 41-43, "If an email message is approved by the administrator, step 40, the email is moved to the normal outbox, step 34, for sending upon the next connection to the ISP.", col. 2, lines 26-32, "categorizing as authorized each outgoing and incoming message that is sent to and received from an entity whose electronic identification is included on the allowed list; categorizing as unauthorized each outgoing and incoming message that is sent to and received from an entity whose electronic identification is not included in the allowed list" and col. 4, lines 58-65); and

if delivery of the electronic message to the intended recipient is rejecting, routing the electronic message to a third folder not associated with the first user and not to the intended recipient. (col. 4, lines 44-47, " If the email however is not approved by the administrator, it will remain in the outbox for emails needing approval and will be erased after a predetermined amount of time if no approval has been granted, step 41.")

The reference Dieterman fails to explicitly teach routing the electronic message to a second folder not associated with the first user.

The reference Lu teaches "Furthermore, an electronic message may be directed to one or more supervisory recipients 160." Page 2, para. [0021], and " Alternatively, the intended recipient and the supervisory recipient may have unrelated accounts.", page 1, para. [0006], and "MS server 140 may be connected by communication link 120 to

intended and supervisory recipients 150, 160. Intended and supervisory recipients 150, 160 generally are capable of communicating electronic messages and information with the MS server 140 and each other.", page 2, para. [0016]. The teachings of these applied concepts are of a paramount importance from the perspective of one having ordinary skill in the art. Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to apply Lu's teachings and modify the teachings of the reference Dieterman by adding additional folder not associated with the first user (that is the first user) such that the message can be accessed by "more than one supervisory recipients" for separate approvals or rejections and wherein "the supervisory recipients can have unrelated accounts", and "supervisory recipients are communicating electronic messages and information with each other". This would have been obvious because "In some instances parents (more than one, that is both) may want to supervise their children's Internet access to prevent improper use, such as inappropriate content or communications. This supervision may involve "eyes-on" supervision by parents (more than one, that is both approving or rejecting the electronic messages) to prevent communication by or with undesirable elements as taught by Lu.

Referring to claim 8,

The reference Dieterman teaches the method of claim 7, further comprising, if delivery of the electronic message to the intended recipient is approved, sending a notification to the first user. (col. 4, lines 58-65)

Referring to claims 9,11,12 and 13,

A computer program product, residing on a computer-readable medium, for use in

operating an electronic messaging system, the computer program product comprising instructions for causing a computer to:

route an incoming electronic message intended for a first user to a first folder not associated with the first user, instead of to the first user (col.6, line34-39, "If the identity of the sender of an email is determined to not appear on the allowed list, step 53, the incoming message is designated as a message which requires approval, step 57, and is placed in the inbox for messages requiring approval, step 58.");

if delivery of the incoming electronic message is approved, route the incoming electronic message to the first user(col.6, line 42-44, " If approval is granted, step 60, the email message is placed in the normal inbox, step 55. " and col. 2, lines 26-32, "categorizing as authorized each outgoing and incoming message that is sent to and received from an entity whose electronic identification is included on the allowed list; categorizing as unauthorized each outgoing and incoming message that is sent to and received from an entity whose electronic identification is not included in the allowed list" and col. 5, line 62-58);

if delivery of the incoming electronic message is rejected, route the incoming electronic message to a third folder not associated with the first user and not to the first user (col.6, line 44-45,"If approval is not given, step 60, the message will be deleted after a predetermined amount of time, step 61.");

direct an outgoing electronic message having an intended recipient sent by the first user to a fourth folder not associated with the first user, instead of to the intended recipient, and the fourth folder is the same as the first folder (col. 4, lines 36-41, "If, however, when performing the comparison between each named recipient and the contents of the allowed list it is determined that not all recipients are in fact on the allowed list, step 33, then the email message is placed in an alternate outbox designated for messages that require administrator approval before being sent, step 38.");

if delivery of the electronic message to the intended recipient is approved, route the electronic message to the intended recipient (col. 4, line 41-43, "If an email message is approved by the administrator, step 40, the email is moved to the normal outbox, step 34, for sending upon the next connection to the ISP.", col. 2, lines 26-32, "categorizing as authorized each outgoing and incoming message that is sent to and received from an entity whose electronic identification is included on the allowed list; categorizing as unauthorized each outgoing and incoming message that is sent to and received from an entity whose electronic identification is not included in the allowed list" and col. 4, lines 58-65);and

if delivery of the electronic message to the intended recipient is rejecting, route the electronic message to a sixth folder not associated with the first user and not to the intended recipient, and wherein the sixth folder is the same as the third folder. (col. 4, lines 44-47, " If the email however is not approved by the administrator, it will remain in

the outbox for emails needing approval and will be erased after a predetermined amount of time if no approval has been granted, step 41.”)

The reference Dieterman fails to explicitly teach a second folder and a fifth folder not associated with the first user as well as the fifth folder is the same as the second folder.

The reference Lu teaches “Furthermore, an electronic message may be directed to one or more supervisory recipients 160.” Page 2, para. [0021], and ” Alternatively, the intended recipient and the supervisory recipient may have unrelated accounts.”, page 1, para. [0006], and “MS server 140 may be connected by communication link 120 to intended and supervisory recipients 150, 160. Intended and supervisory recipients 150, 160 generally are capable of communicating electronic messages and information with the MS server 140 and each other.”, page 2, para. [0016]. The teachings of these applied concepts are of a paramount importance from the perspective of one having ordinary skill in the art. Therefore, it would have been obvious for one having ordinary skill in the art at the time the invention was made to apply Lu’s teachings and modify the teachings of the reference Dieterman by adding additional folder (a second folder and a fifth folder not associated with the first user as well as the fifth folder is the same as the second folder) not associated with the first user (that is recipient or the first user) such that the message can be accessed by “more than one supervisory recipients” for separate approvals or rejections and wherein “the intended recipient and the supervisory recipients can have unrelated accounts”, and “intended and supervisory recipients are communicating electronic messages and information with each other” .

This would have been obvious because "In some instances parents (more than one, that is both) may want to supervise their children's Internet access to prevent improper use, such as receipt of inappropriate content or communications. This supervision may involve "eyes-on" supervision by parents (more than one, that is both approving or rejecting the electronic messages) to prevent communication by or with undesirable elements as taught by Lu.

Referring to claims 10,

The reference Dieterman teaches the method of claim 9, wherein the computer program product further comprises instructions for causing a computer to synchronize a first display of messages for the first user at a first location with a second display of messages for the first user at a second location. (col. 9, line17-50)

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose

telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp



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